

TOWN OF VICTOR VIDEOCONFERENCING POLICY AND PROCEDURE

The following public policy shall apply to the public bodies of the Town of Victor relative to public meetings thereof, all consistent with NY Open Meetings Law and the Town of Victor Videoconferencing Local Law:

- 1. Physical Presence of Members Unless Extraordinary Circumstances.** In order to participate as a member of a public body during a public meeting, such member shall be physically present at the public meeting unless such member is unable to be physically present at any meeting location due to ***extraordinary circumstances*** such as: disability, illness, caregiving responsibilities, or any other ***significant or unexpected factor or event*** which precludes a member's physical attendance at such meeting, in which case the member may participate via videoconferencing as set forth herein. Physical absence and request to participate via videoconference due to extraordinary circumstances shall be noticed to the Board Chair and Town Clerk as soon as reasonably practicable.
- 2. Legal Notice Requirements. Notice.** If videoconferencing is used to conduct a meeting, the Town Clerk will issue public notice for such meeting and shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend. The Town Clerk will identify any Board member(s) who will be attending virtually, and the address that they will be attending from, pursuant to POL §103-a, in order to establish a quorum with all members having legal voting rights during the meeting.
- 3. Physical Location Quorum for Videoconferencing.** A public body may, in its discretion, use videoconferencing to conduct its meetings, provided that a minimum number of members are physically present to fulfill the public body's quorum requirement in the same physical location or locations where the public can physically attend, as identified in the Legal Notice, and all other requirements set forth herein have been met.
- 4. Members Viewable and Audible.** Except during an executive session, the public body shall ensure that the members of the public body can be heard, seen and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon, whether such member(s) are physically present or participating via videoconferencing.
- 5. Public Participation in Videoconference.** If videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized, including that the videoconferencing authorizes the same (except in the case of executive sessions).

6. **Minutes.** Minutes of any meetings which involves videoconferencing shall include which, if any, members participated remotely and shall be made available to the public pursuant to NY Open Meetings Law.
7. **Recordings and Transcription.** Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the Town's website within five (5) business days following the meeting, and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon request.
8. **State of Emergency.** Provisions of this Policy may be waived or altered during a State of Emergency, all in accordance with NY Open Meetings Law.
9. **Policy on Website.** This Policy shall be posted on the Town of Victor website.